

## **Frequently Asked Questions Personal and Business Relationships Disclosure Form**

1. Who is required to file a Personal and Business Relationships Disclosure Form (“Form”)?

Any State officer or employee who is involved in the procurement process at his/her State agency or in the procurement process of a State agency other than his/her own.

The majority of State officers and employees will only be required to disclose involvement in their own agencies’ procurement process. However, there will be situations where State officers and employees will be required to disclose their involvement in the procurement processes of more than one State agency. This will be necessary in the case of Division of Purchase and Property employees because they are involved in the procurement process of most State agencies. This may also be the case for employees of the Department of Law and Public Safety who draft and/or review Requests for Proposals and/or contracts for other agencies.

2. What does involvement in the procurement process mean?

Involvement in the procurement process means drafting, reviewing, evaluating or making contract awards, substantively assisting in any of those tasks or authorizing payments under those contracts.

3. What types of relationships must I disclose?

You are required to disclose any interest in a firm, association, partnership, corporation or other business organization that has sought or been awarded a public contract with your agency or any agency with which you have involvement in the procurement process.

You are also required to disclose any professional relationship with any person, firm, association, partnership, corporation or other business organization that has sought or been awarded a public contract with your agency or any agency with which you have involvement in the procurement process.

You are also required to disclose any personal relationship with any principal officer or director of any firm, association, partnership, corporation or other business organization that has sought or been awarded a public contract with your agency or any agency with which you have involvement in the procurement process.

4. What constitutes an “interest” for the purposes of disclosure?

Interest means any ownership or control of any profits or assets of a business organization. You must disclose the name of the business organization and the nature of your interest (number of shares held, percentage ownership, etc.).

5. What constitutes a professional relationship for the purposes of disclosure?

Professional relationships include, but are not limited to, your lawyer, accountant, physician, landscaper, or plumber.

6. What constitutes a personal relationship for the purposes of disclosure?

Friends, family, neighbors you interact with regularly, work colleagues, classmates or members of professional and trade organizations who you see on a regular basis.

7. Does the Form cover only my current relationships?

No, you are required to disclose business, personal, or professional relationships for the period covering five years prior to the date of your statement.

8. How often must I file the Form?

After your initial filing of the Form, you must review it on an annual basis to ensure that it is correct and complete. You must complete a new Form any time there is a material change to any response.

9. Who is responsible for reviewing the Form?

It is the responsibility of the agency head to determine the procedure for review of the Form.

10. Does the State Ethics Commission review the Form?

No, however, copies of the Form must be forwarded to the Commission.

11. What should I do if I have a business, personal, or professional relationship with an entity or individual that is seeking to contract with the State?

You are required to recuse yourself from any involvement in the procurement process involving the entity or individual. Such recusal must be in writing.

12. How do I obtain a copy of the Form?

The Form is available in a fillable PDF format on the State Ethics Commission’s website: <http://nj.gov/ethics/forms>